

EXHIBIT D



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Via E-Mail & LNFS

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Re: **Commonwealth of Puerto Rico, et al. v. Shell Oil Co., et al., 07-civ-10470**

Dear Steve and Jessica,

As you know, during the last case management conference Judge Scheindlin reiterated her Order from the June 11, 2013 case management conference that "[COP] should calculate by year the best estimate [it] can, from studying the batches, what percentage of total sales is made up of MTBE-containing gasoline." *See* transcript from 7/17/2013 case management conference, at pp. 37:24-38:2 (quoting Order from 6/11/2013 case management conference, at p. 67:1-9); *see also* pp. 42:12-20, 48:22-49:1. If COP cannot provide an estimate for any given year, Judge Scheindlin ordered COP to provide an affidavit explaining why such an estimate could not be made. *See id.* at pp. 46:22-47:4. Because Judge Scheindlin's order requires COP to provide this information before the depositions scheduled for August 21-23, *see id.* at pp. 46:22-47:4 and 47:12-17, Plaintiffs request that COP provide this information by August 9, 2013.

Very truly yours,

William C. Petit

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